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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RICARDO PITTMAN,

PLAINTIFF,

V.

UNITED STATES POSTAL SERVICE, and its
Postmaster general **LOUIS DEJOY** in his official
Capacity **TEMEKA LEWIS** in her individual
capacity as Supervisor agent for the U.S. postal
Service Office,

Defendants.

CASE NO:

1:22-cv-1433
Judge Ronald A. Guzman
Magistrate Judge Susan E. Cox
RANDOM

TRIAL BY JURY DEMAND

FILED

MAR 18 2022

**THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT**

COMPLAINT FOR DECLARATORY, INJUNCTIVE AND OTHER RELIEF

Now Comes plaintiff's, **RICARDO PITTMAN, Jr.**, referred to as ("PITTMAN") as plaintiff to this action; by and acting pro-se, complains against defendants, United States postal service referred to as ("USPS") as defendants to this action; ant its postmaster general **LOUIS DEJOY** referred to as ("DEJOY") as defendant to this action; as a supervisor-agent for the U.S. postal service **TEMEKA LEWIS** referred to as ("LEWIS") as defendant to this action; and stated the following reasons:

A. INTRODUCTION

1. Plaintiff, Ricardo Pittman, Jr., complaint seeks compensatory and punitive damage against defendant United States Postal Service and its postmaster general **LOUIS DEJOY**, and its supervisor-agent for the United States postal Service **TEMEKA LEWIS**. JoAnn Antonopoulos in the pass was the manager of this building located at 9208 South Kedize Avenue, Evergreen Park, Illinois 60805.

2. Plaintiff, Ricardo Pittman, Jr., apartment BE in this building at this address 9208 South Kedzie Avenue, Evergreen Park, Illinois 60805.

B. JURISDICTION AND VENUE

3. Jurisdiction in the United States Court for the Northern District of Illinois. Eastern Division Based on 28 U.S.C.A. Section 1332 as the amount in controversy, exclusive of interest and costs exceeds seventy five thousand (\$75,000.000) dollars and the parties are citizens of different states. The Postmaster General, LOUIS DEJOY IS A CITIZEN of WASHINGTON, D.C. Supervisor-agent, TEMEKA LEWIS IS A CITIZEN of CHICAGO, ILLINOIS. The amount in controversy requirements is met. Plaintiff is entitled to damages for; loss of use of the United States postal Service, [See, First Chicago Gary-Wheaton Bank. V. Gaughan], 275 Ill. App.3d 53, 211 Ill. Dec. 553, 655 N.E.2d 936 (Second District 1995); alternate transportation, (See, Landmark Structures, Inc. v. Fe Holmes and Sons Construction Company).195 Ill. App. 3d 1063,142 Ill.Dec.595, 552 N.E.2d 1336 (Fifth District 1990): Aggravation and inconvenience (See, Roche v. Fireside Chrysler-Plymouth, Inc., 235 Ill. App.3d 70, 175 Ill. Dec. 760, 606 N.E.2d 1218 (Second District 1992); Lost income and profits (See, Burrus v. Itek Corporation, 46 Ill. App. 3d 350, 4 Ill. Dec.793, 360 N.E.2d1168 (Third District 1977); and prejudgment interest (See, Forrester v. State Bank of East Moline, 52 Ill.App.3d 34,6 Ill.Dec.957,363 N.E.2d 904 (third District 1977)).

4. Plaintiff Entitled to punitive damages, due to material fact, misrepresentation, common law do not allow illegal and refusing to furnish the use facility of public Nature Service, privileges Accommodation and Activities provided in United States postal property.

5. Buechin v. Ogden Chrysler-Plymouth, Inc., 159 Ill. App.3d 237,111 Ill.35, 511 N.E.2d 1330 (Second District 1987); Jim M' Lady Olds v. Sec. of State of Illinois, 162 Ill.App.3d 959, 114 Ill.Dec.191,516 N.E.2d 346 (First District 1987); See, Ambre v. Joe Madden Ford, 881 F.Supp.1187 (N. D. Illinois E.D.1995); Ray Kim Ford, Inc. v. Daoud, 750 F. Supp. 327 (N. E. Illinois E. D.1995); See, Aximi v. Ford Motor Company, 977 F. Supp. 847, 850 (N. E. Illinois E. D.1996).

6. Pigounakis v. Auto Barn Motors, 1999 U.S. District Court. WL754927, No. 98 C 5471 (See Attached Exhibit "A." See, Haslam v. Lefta, Inc., No. 93 C 4311 United States District Court 1994 WL 117463, at*2 (N. D. Illinois E.D. 1994) (See Attached Exhibit "B") 28 U. S. C. A. Section 1331, 1337 and 28 U. S. C. A. Section 1367, 42 U.S.C. Section 1981 and 1983. Reid v. Unilever U.S., Inc., 964 F. Supp. 2d 893-94 (N.D. Illinois E.D. 2013). Semitekol v. Monaco Coach Corp., 582 F. Supp. 2d 1009 (N. D. Illinois E.D. 2008).

7. Venue is proper pursuant to 28 U.S.C.A. Section 1391(b) as the parties are citizens of different states and the underlying lawsuit occurred in Cook County, Chicago, Illinois within the United States District Court for the Northern District of Illinois, Eastern Division.

C. TRIAL BY JURY DEMAND.

D. CITIZENSHIP OF THE PARTIES.

8. Plaintiff, Ricardo Pittman, Jr., was at all relevant times African American ("Black") citizen of the United States of America with a permanent residence at 9208 South Kedzie Avenue, Apartment NO: BE, Evergreen Park, Illinois 60805.

9. Defendant, LOUIS DEJOY Postmaster General was acting in his official capacity within the scope of his employment and at all relevant times Defendant is and of the White or Caucasian Race citizen of the United States of America with a permanent residence at 475 L, Enfant Plaza S.W., Washington, D.C. 20260. Defendant can be served through the United States postal service at 475 L, Enfant plaza S.W., Washington, D.C. 20260.

10. Defendant, TEMEKA LEWIS, supervisor-Agent was acting in her individual capacity for the United States Postal Service was at all relevant times African American ("Black") citizen of the United States of America residence in the of Chicago, Illinois. Defendant employed at the United States Post Office at 9359 South Kedzie Avenue, Evergreen Park, Illinois 60805. Defendant can be served through the United States postal service at 9359 South Kedzie Avenue, Evergreen Park, Illinois 60805.

E. FACTS UPON WHICH RELIEF IS CLAIMED

11. on or about March 6, 2019 Defendant, TEMEKA LEWIS Illegal and refusing to furnish the use of facility of a Public Nature, Service, Privileges, Accommodation and activities provided in the United States postal property. Evergreen Park Police Department, #19-00995; Supervisor TEMEKA LEWIS. Evergreen Park Police Department, OCA 20-00384; reported complaints concerning plaintiff personal mail.

12. Defendant, TEMEKA LEWIS Discriminated by placing plaintiff in false light because Defendant filed complaint with the Evergreen park Police Department with no facts in the complaint.

13. No or about March 6, 2019 at 1014 hrs I responded to the United States post Office 9359 South Kedzie Avenue for the Mail Black in the tan coat harassing the customers and employees.

14. Upon arrival I noticed no obvious disturbance and met with plaintiff, Ricardo Pittman, Jr., who was pointed out by the PO (Post Office) desk employee.

15. Plaintiff, Pittman, Jr., related he has an ongoing problem with the post office in that he is not receiving his mail in his PO Box. He related to an ongoing issue with the United States Postal Service.

16. Plaintiff spoke with the post Office Supervisor TEMEKA LEWIS who related to plaintiff is upset over a certified letter receipt, from a letter plaintiff sent to Washington, D.C., that the postmaster, DEJOY did not receive. Supervisor TEMEKA LEWIS related to the D.C. Post Office has to sent the certified return receipt once the mail received and that their Post Office has no control over when that happens.

17. Supervisor-Agent, LEWIS related to plaintiff, Pittman, Jr., continually comes in to complain and bothers other customers, causing a disturbance and disrupting the flow of business.

18. Defendant, LEWIS advised Pittman, Jr., has a PO Box which is located in the foyer of the building which he can access if needed. Defendant, LEWIS requested that I tell Pittman, Jr., that he is no longer allowed in the main office/ receiving area and she will pursue complaints for trespass in the future.

19. Defendant, TEMEKA LEWIS, I spoke further with Mr. Pittman, Jr., and advised him of the complaint and provided the trespass warning. Mr. Pittman acknowledged the warning and related it was the employees that were harassing him. Mr. Pittman was advised to follow up with the office of the Post Office General with any further complaints. Mr. Pittman checked clear and was sent on his way.

20. In summary: On 01/27/2020 at approximately 1513 hours, I (Ofc. Sarno # 150) was dispatched to the station for an assist citizen.

21. Upon arrival, I met with Mr. Ricardo Pittman, Jr., and he advised the following: He has been having ongoing issues with the Evergreen Park Post Office, Located at 9359 South Kedzie Avenue, where he was given a no trespass warning in March 2019 (See IR #19-00995 for further).

22. Since April 2019, Mr. Pittman, Jr., has made complaints with the United States Post Service in regards to the Evergreen Park Post Office, which has been forwarded to the Office of Inspector General. Mr. Pittman, Jr., Has been in contact with Office of Inspector General employee, Sandra Ferguson (TX # 312983-8427), but nothing has been done with his complaints at this point.

23. Plaintiff states a claim for relief for Defendants' violation of the due process Clause of the Fourteenth Amendment to the United States Constitution, which is actionable pursuant to 42 U. S. C. Section 1983.

24. Defendants are "person," under 42 U. S. C. Section 1983.

25. Defendants acted "under color" of state law, under 42 U. S. C. Section 1983.

26. In doing so, Defendants violated rights secured to plaintiff by the due process Clause of the Fourteenth Amendment to the United States Constitution.

27. Plaintiff has been harmed and continue to be harmed by Defendants' action and is entitled to injunctive and declaratory relief and monetary damages.

28. At all relevant times hereto Defendants owed plaintiff a duty of generally not to act in a manner

which Defendants knew or should have known their act would cause damages to plaintiff's reputation and well-being.

29. Each Defendants, LOUIS DEJOY and TEMEKA LEWIS acts constitute willfully and wantonly misconduct was committed under circumstances exhibiting a reckless disregard for the safety of others, including Ricardo Pittman, Jr., knowledge of impending danger.

30. Upon information and belief, no such time limit was posted nor existed and was imposed upon plaintiff for the purpose of discriminating against plaintiff, Pittman, Jr, because of his race.

31. Plaintiff was then and there removed from the United States Postal Office premises by TEMEKA LEWIS for no reason other than to discriminate against plaintiff because of his race.

32. The actions of the defendants, LOUIS DEJOY and TEMEKA LEWIS, individually and as agent of the United States Postal Service, and committed by their agent(s), employee(s) and/or representative(s), were committed in a malicious, willful and wanton manner against plaintiff because of his race in violation of the Civil rights Act of 1866 and, more specifically, in violation of 42 U. S. C. Section 1981.

COUNT I

CAUSE OF ACTION UNDER FEDERAL CIVIL RIGHTS ACT

Claim against Defendants, United States Postal Service, LOUIS DEJOY and TEMEKA LEWIS

VIOLATION OF THE DUE PROCESS CLAUSE OF THE FOURTEENTH AMENDMENT

33. Plaintiff repeats, re-alleged, incorporates herein by reference each of the allegations set forth in paragraphs 1 through 32 above as if set forth in fully herein. **In Haec Verba.**

34. Plaintiff states a claim for relief for Defendants' violation of the due process Clause of the fourteenth Amendment to the United States Constitution, which is actionable pursuant to 42 U. S. C. Section 1983.

35. Upon information and belief, no such time limit was posted nor existed and was imposed upon plaintiff for the purpose of discriminating against plaintiff because of his race.

36. Defendants are "person," under 42 U. S. C. Section 1983.

37. Defendants acted "under color" of state law, under 42 U. S. C. Section 1983.

38. In doing so, defendants violated rights secured to plaintiff by the due process Clause of the Fourteenth Amendment to the United States Constitution.

39. Plaintiff has been harmed and continue to be harmed by Defendants' action and is entitled to injunctive and declaratory relief and monetary damages.

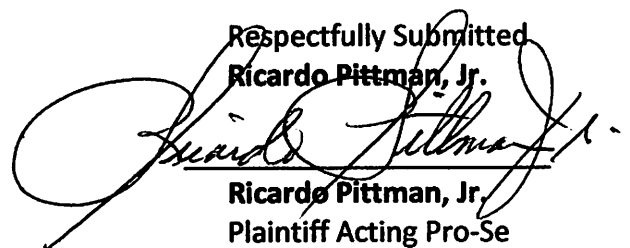
WHEREFORE, the plaintiff, Ricardo Pittman, Jr., prays that this Honorable Court enter an order:

A. Permanently enjoining defendants, United States Postal Service, LOUIS EDJOY and TEMEKA LEWIS, their agents, employees and representatives, from denying to the plaintiff the full use and enjoyment of United States Postal Service. Denied plaintiff on the basis of plaintiff's race;

B. Awarding plaintiff compensatory damages, both jointly and severally, against defendants, LOUIS DEJOY and TEMEKA LEWIS, in accordance with the proofs. In an amount in excess of Five Hundred Thousand (\$500,000.00) dollars from each defendants;

C. Granting plaintiff such other and further relief as may be just and appropriate.

Respectfully Submitted
Ricardo Pittman, Jr.

A handwritten signature in black ink, appearing to read "Ricardo Pittman, Jr.", is written over a horizontal line. The signature is fluid and cursive.

Ricardo Pittman, Jr.
Plaintiff Acting Pro-Se

Ricardo Pittman, Jr.
9208 South Kedzie Avenue
Apartment BE
Evergreen Park, Illinois 60805
(630) 235-8209